



1FW RCE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/821,217
Filing Date	April 8, 2004
First Named Inventor	Hopper
Group Art Unit	2833
Examiner Name	A. Gilman
Attorney Docket Number	DRYA,002-03

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other: _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply (Response to Official Action of September 23, 2005)
- ii. ☐ Affidavit(s)/Declaration(s) (of Troy K. Hopper)
- iii. ☐ Request for Extension of Time to respond (for three months)
- iv. ☒ Other: Information Disclosure Statement, Form PTO-1449, and copies of five (5) references.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three (3) months. (Period of suspension shall not exceed 3 months, fee under 37 C.F.R. § 1.17(i) required).
- b. ☐ Other: _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0965 (DRYA,002-03)
- 09/22/2006 MGBREM1 00000027 10821217
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- 01 FC:2801 395.00 DP
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other: any deficiency in the enclosed Form PTO-2038 and/or any fee for an extension of time necessary to insure consideration of the enclosed amendment/reply.
- b. ☐ Check No. _____ in the amount of \$ _____ enclosed.
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mark R. Wisner	Registration No. (Attorney/Agent)	30,603
Signature		Date	September 18, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: 9/18/06

Name (Print/Type)	Mark R. Wisner	Date	September 18, 2006
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450